

01/27/01

ATTORNEY DOCKET NO. 101916-200

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CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 7/27/01 in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. EL662087555US to the Commissioner for Patents, Washington, DC 20231.

William B. Slater

Name of Person Mailing Paper

W.B. Slater

Signature of Person Mailing Paper

BOX PATENT APPLICATION
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of:

Inventor(s): **Jong In Lee**
Kang Hyoung Kim

For: CARD TRANSACTION SETTLEMENT METHOD IN POINT-OF-SALES
SYSTEMS

1. Type of Application

☐ Original ☐ Continuation ☐ Divisional ☒ Continuation-In-Part

2. Benefit of Prior Foreign Application(s) (35 U.S.C. § 119)

☒ The new application being transmitted claims the benefit of:

☒ prior foreign application serial no. 98-14406, filed on April 22, 1998 in The Republic of Korea; or

☐ PCT international application designating at least one country other than the U.S. application serial no. _____, filed on _____.

A certified copy is ☐ enclosed or ☒ on file in the prior application.

3. Benefit of Prior U.S. Application(s) (35 U.S.C. § 120 and § 119(e))

☒ The new application being transmitted claims the benefit of prior copending U.S. application:

Serial No. 09/121,526, filed on July 23, 1998.



4. Papers Enclosed Which Are Required for Filing Under 37 C.F.R. § 1.53(b)

13	pages of Specification
3	pages of Claims, having <u>10</u> claims, including <u>2</u> independent and <u>8</u> dependent claims
1	page of Abstract
13	sheets of [X] formal [] informal Drawings

5. Additional Papers Enclosed

- ☐ Preliminary Amendment
☐ Information Disclosure Statement
☐ Form PTO-1449
☐ Copies of Cited Art
☐ Priority Document and Certified Copy
☐ Form PTO-1595 (Assignment Recordation)
☒ Remarks
☒ Request for extension of time in parent application 09/121,256

6. Declaration

An Signed Declaration is: ☒ enclosed ☐ not enclosed.

7. Assignment

An Assignment is: ☐ enclosed ☒ not enclosed

☐ Enclosed is a recordation form and an assignment of the invention to _____, a corporation of the State of _____.

8. Small Entity Status

☒ Applicant claims Small Entity status.

9. Fee Calculation (37 C.F.R. § 1.16) -

CLAIMS AS FILED OR AS AMENDED BY ANY ENCLOSED PRELIMINARY AMENDMENT					
	Number Filed	Minus	Number Extra	Rate	Basic Fee \$710.00
Total Claims	10	-20	0	\$18.00	0
Independent claims	2	-3	0	\$80.00	0
Multiple Dependent claims, if any:				\$270.00	0
Total					\$710.00
Reduction for small entity by 50%					\$355.00
TOTAL FILING FEE					\$355.00



10. Method of Payment of Fees

☐ Check in the amount of \$ _____

☒ Charge Account No. 23-1665 in the amount of \$ 355.00.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any deficiencies or additional fees which may be required under 37 C.F.R. 1.16, 1.17, and 1.18, or credit any overpayment to Account No. 23-1665.

12. Correspondence

Please address all correspondence to:

Customer Number 27267:



PATENT TRADEMARK OFFICE

Todd E. Garabedian
(Name of Attorney)

Todd E. Garabedian

Signature of Attorney
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Date: 27 July 2001

0917324-072701



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Jong In Lee Kang Hyong Kim	Docket No.:	101916-200
Serial No.:	N/A	Conf. No.:	N/A
Filed:	Herewith	Art Unit:	N/A
		Examiner:	N/A
Title:	CARD TRANSACTION SETTLEMENT METHOD IN POINT OF SALES SYSTEMS		

Commissioner for Patents
Washington, DC 20231

Dear Sir:

REMARKS

In the parent application, Ser. No. 09/121,256, claims 1-12 were pending and at issue. In the Office Action made Final dated February 28, 2001 (Paper No. 10), claims 1-12 were rejected, and no claims were allowed.

A request for a two month extension in the parent application is submitted herewith.

Rejections under 35 USC §103

The Examiner rejected claims 1-12 under 35 U.S.C. §103(a) as being obvious and unpatentable over U.S. Pat. No. 5,996,076 of Rowney et al. in view of U.S. Pat. No. 6,179,209 of Goodwin et al. Applicant respectfully traverses this rejection with respect to the claims as amended.

Rowney et al. appears directed to a particular security protocol useful in a system having three computers: a first computer 120 of the customer; a second computer 130 of a merchant; and a third computer 140 which provides a payment gateway to a financial institution. *See* col. 17, line 54. The core functionality of this system appears to involve internet sales wherein a customer communicates over the internet from his personal computer to a merchant computer. The merchant computer in turn communicates with the gateway computer to a bank with which the customer has a credit or debit card account. Col. 2, lines 38-56. A physical credit or debit card itself does not appear necessary to this system. Traditional point of sale systems appear to be distinguished. Col. 1, line 59.

Rowney et al. discloses a method wherein the merchant, customer, and payment gateway systems communicate with each other for performing the transaction. In the present invention of independent claim 1, however, the card transaction is performed directly between "the self-service facility" and "the authorization center" without engagement of a third party system such as merchant computer (if the customer computer is treated as the point of sale terminal). Goodwin et al. adds nothing substantial to this characterization of Rowney.

Independent claim 10, for example, identifies the approval of a VTA as the lesser of a target VTA related to anticipated parameters of the transaction and a value related to an available amount in the account. Claim 10 further identifies that execution of the transaction is restricted to prevent an ATA from exceeding the approved VTA.

Furthermore, since the maximum transaction amount in the present invention is set for substantially possible one time transaction amount, the card transaction settlement can be expanded in various transaction fields such as oil filling, payment internet access, taxi fare, expressway toll, etc., where the settlement amount is not fixed before the transaction is completed.

Various of the claims dependent upon claim 1 identify such elements. For example, claim 9 identifies the restriction on the ATA exceeding the VTA.

Rowney et al., however, discloses an example of the check-in/check-out transaction in the hotel environment. However, if the check-out amount is greater than the check-in amount (pre-authorization amount), there must be an adjustment transaction to make a correction to the amount of a previously completed transaction with the engagement of the merchant. This adjustment transaction can cause a conflict between the merchant and the customer. On the other hand, in the present invention, the maximum transaction amount is previously set and the actual transaction amount can not exceed the maximum transaction amount such that the problem caused by the actual transaction amount exceeding pre-authorization amount can be avoided.

Accordingly, Applicant submits that none of the references, alone or in combination, anticipate or make obvious the invention as presently claimed. Applicant submits that the present application is in condition for allowance. Therefore, Applicant respectfully requests examination of the present application and the Examiner is respectfully requested to take such proper actions so that a patent will issue herefrom as soon as possible.

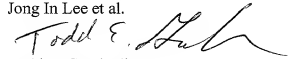
If the Examiner has any questions or believes that a discussion with Applicant's attorney would expedite prosecution, the Examiner is invited and encouraged to contact the undersigned at the telephone number below.

Please apply any credits or charge any deficiencies to our Deposit Account No. 23-1665.

Date 27 July 2001

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Respectfully submitted,
Jong In Lee et al.



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